

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 2:03-CR-162</b>
	:	
v.	:	<b>(Chief Judge Conner)</b>
	:	
<b>BERNARD ROTTSCHAEFER, M.D.,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 2nd day of October, 2018, upon consideration of the motion (Doc. 144) to disqualify AUSA Houghton filed by defendant Bernard Rottschaefer, M.D. (“Dr. Rottschaefer”), wherein Dr. Rottschaefer asks the court to “remove” and “replace” Assistant United States Attorney (“AUSA”) Mary McKeen Houghton with a different AUSA in relation to his petition (Doc. 140) for a writ of coram nobis, and the court observing that “[t]he disqualification of Government counsel is a drastic measure and a court should hesitate to impose it except where necessary,” United States v. Bolden, 353 F.3d 870, 878 (10th Cir. 2003) (citation omitted); United States v. Zagami, 374 F. App’x 295, 297 (3d Cir. 2010) (nonprecedential), and further observing that courts have allowed disqualification in only limited circumstances, which are not present in the case *sub judice*, Zagami, 374 F. App’x at 297, and the court noting that it must balance “considerations of judicial administration against the United States’ right to prosecute the matter through counsel of its choice,”

United States v. Whittaker, 268 F.3d 185, 193-94 (3d Cir. 2001), it is hereby

ORDERED that Dr. Rottschaefer's motion (Doc. 144) to disqualify AUSA Houghton is DENIED.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania